



SYNOPSIS

Senate Bills and Joint Resolutions
2014 Maryland General Assembly Session

January 23, 2014
Schedule 12

PLEASE NOTE: January 31 – Bill introduction deadline.
All bills should be given to the Secretary of the Senate's office by 5:00 P.M. on Monday, February 3.
As required by Senate Rule 32(b), bills introduced after this date will be referred to the Senate Rules Committee.

SENATE BILLS INTRODUCED January 23, 2014

SB 377 Senator Conway

PROCUREMENT – SECURITY REQUIREMENTS – EXTENSION OF SUNSET PROVISION

Extending to September 30, 2019, the termination provision of specified provisions of law relating to security requirements for procurement.

EFFECTIVE JULY 1, 2014

Chapter 299 of the Acts of 2006, § 4, as amended - amended

Assigned to: Education, Health, and Environmental Affairs

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401–1991

Baltimore Area: 410–946–5400 — Washington Area: 301–970–5400

Other Maryland Areas: 1–800–492–7122 — Maryland Relay Service: 1–800–735–2258

SB 378 Senator Conway**VEHICLE LAWS – ELECTRIC BICYCLE – DEFINITION**

Including an electric bicycle in the defined term “bicycle” for the purposes of the Maryland Vehicle Law; defining the term “electric bicycle”; and establishing that the defined terms “moped”, “motorized minibike”, and “motor vehicle” do not include an electric bicycle.

EFFECTIVE OCTOBER 1, 2014

TR, §§ 11-104, 11-134.1, 11-134.4, and 11-135 - amended and § 11-117.1 - added

Assigned to: Judicial Proceedings

SB 379 Senator Conway**STATE ACUPUNCTURE BOARD AND STATE BOARD OF DIETETIC PRACTICE – ACTION AND PENALTIES FOR VIOLATIONS OF PRACTICE ACTS**

Authorizing the State Acupuncture Board to impose a specified penalty if the Board finds that there are grounds to take specified disciplinary action against a licensee; authorizing the State Acupuncture Board and the State Board of Dietetic Practice to issue cease and desist orders or obtain injunctive relief for violations of specified provisions of law; etc.

EFFECTIVE OCTOBER 1, 2014

HO, §§ 1A-310.1, 1A-314.1, 5-404, and 5-405 - added and §§ 1A-403 and 5-403 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 380 Senator Conway**STATE BOARD OF PODIATRIC MEDICAL EXAMINERS – CEASE AND DESIST ORDERS AND FINES**

Authorizing the State Board of Podiatric Medical Examiners to issue cease and desist orders or obtain injunctive relief for a violation of specified provisions of law; and requiring the Board, in accordance with regulations, to levy and pay specified fines into the State Board of Podiatric Medical Examiners Fund.

EFFECTIVE OCTOBER 1, 2014

HO, § 16-319.1 - added and § 16-505 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 381 **Senator Conway****HEALTH OCCUPATIONS – CHIROPRACTORS, MASSAGE THERAPISTS, PHYSICAL THERAPISTS, AND PHYSICAL THERAPIST ASSISTANTS – CRIMINAL HISTORY RECORDS CHECKS REQUIRED**

Requiring applicants to the State Board of Chiropractic and Massage Therapy Examiners and the State Board of Physical Therapy Examiners to submit to a criminal history records check as a condition of licensure or registration; requiring the Boards to consider specified factors in determining whether to grant a license or registration on receipt of the criminal history record information; prohibiting the Boards from issuing a license or registration if the criminal history record information has not been received; etc.

EFFECTIVE OCTOBER 1, 2014

HO, Various Sections - added and amended

Assigned to: Education, Health, and Environmental Affairs

SB 382 **Senator Conway****BUSINESS REGULATION – AUTOMATED PURCHASING MACHINES – LICENSING OF BUYERS AND REQUIRED RECORDS**

Requiring a person to have a specified license before doing business as a buyer of personal property by means of an automated purchasing machine in the State; establishing the application and renewal processes for a buyer license; requiring applicants for a buyer license and a specified resident agent of an applicant or a licensee to apply for a national and State criminal history records check; authorizing the Secretary of Labor, Licensing, and Regulation to issue a license under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2014

BR, §§ 20-101 through 20-502 - added

Assigned to: Finance

SB 383 Senator Edwards**ALLEGANY COUNTY AND GARRETT COUNTY – BOARDS OF EDUCATION – REMOVAL OF EX OFFICIO MEMBER**

Repealing the requirement that the Chair of the Board of County Commissioners of Allegany County or any county commissioner serve as an ex officio member of the Allegany County Board of Education; repealing the requirement that the Chair or Vice Chair of the Board of County Commissioners of Garrett County serve as an ex officio member of the Garrett County Board of Education; making conforming changes; and making stylistic changes.

EFFECTIVE JULY 1, 2014

ED, §§ 3-201(a) and (b), 3-203, and 3-601(a) and (b) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 384 Senator Brinkley, et al**CORPORATE INCOME TAX – RATE REDUCTION**

Reducing the State corporate income tax rate from 8.25% to 6% beginning in tax year 2014.

EFFECTIVE JULY 1, 2014

TG, § 10-105(b) - amended

Assigned to: Budget and Taxation

SB 385 Senator Brinkley, et al**CORPORATE INCOME TAX – FEDERAL REPATRIATION HOLIDAY**

Providing a subtraction modification under the Maryland corporate income tax for specified dividends included in federal taxable income as a result of a specified repatriation holiday enacted by federal legislation; requiring the Comptroller to provide for the administration of the Act if specified federal legislation is enacted; etc.

EFFECTIVE JULY 1, 2014

TG, § 10-307(e) - added

Assigned to: Budget and Taxation

SB 386 Senator Brinkley, et al**SALES AND USE TAX – EXEMPTION – HOME WHEELCHAIR LIFTS AND STAIRLIFTS**

Exempting from the sales and use tax the sale of home wheelchair lifts and stairlifts; etc.

EFFECTIVE JULY 1, 2014

TG, § 11-211(b) - amended

Assigned to: Budget and Taxation

SB 387 Senator Reilly**DRIVERS' LICENSES, IDENTIFICATION CARDS, AND MOPED OPERATORS' PERMITS – ENHANCED IDENTIFICATION DOCUMENTS**

Requiring the Motor Vehicle Administration to make available to an applicant for a driver's license, identification card, or moped operator's permit the opportunity to upgrade the document to be an enhanced identification document; establishing that the Administration may issue an enhanced identification document only to specified individuals who provide specified documentation; requiring an individual who applies for an enhanced identification document to provide to the Administration a specified biometric identifier; etc.

EMERGENCY BILL

TR, § 12-305 - added

Assigned to: Judicial Proceedings

SB 388 Senator Reilly**EDUCATION – MAINTENANCE OF EFFORT – LEASE PAYMENT EXCLUSION**

Excluding specified lease payments made by a local school district from the maintenance of effort calculation.

EFFECTIVE JULY 1, 2014

ED, § 5-202(d)(3)(i) - amended

Assigned to: Budget and Taxation

SB 389 Senator Robey**MOTOR VEHICLES – INSPECTION CERTIFICATES FOR USED VEHICLES – PROCEDURES**

Repealing the requirement that the Automotive Safety Enforcement Division of the Department of State Police prepare inspection certificates for used motor vehicles and provide the certificates without charge to licensed motor vehicle inspection stations; requiring the Division to establish the manner and format for the submission of an inspection certificate for the transfer of a used motor vehicle; and authorizing the Division to require electronic submission of an inspection certificate for a used motor vehicle.

EFFECTIVE JULY 1, 2014

TR, §§ 23-101(e), 23-103(b), 23-106, 23-107(a)(1), and 23-109(h) thru (k) - amended, § 23-108 - added & repealed, and § 23-109(g) - repealed

Assigned to: Judicial Proceedings

SB 390 Baltimore City Senators (By Request – Baltimore City Administration)**CRIMINAL LAW – ILLEGAL DUMPING AND LITTER CONTROL LAW – DRIVER’S LICENSE – POINTS**

Requiring a court to notify the Motor Vehicle Administration of a specified violation of the Illegal Dumping and Litter Control Law; requiring the Chief Judge of the District Court and the Administrative Office of the Courts, in conjunction with the Administration, to establish specified procedures; requiring that a specified number of driver’s license points be assessed against an individual who is convicted of a violation of the Illegal Dumping and Litter Control Law under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2014

CR, § 10-110(f) and TR, §§ 16-402(a) and 26-305(a) - amended

Assigned to: Judicial Proceedings

SB 391 Senator Frosh**ESTATES AND TRUSTS – REGISTERS OF WILLS – RECORDS**

Providing that a register of wills may comply with specified provisions of law by retaining specified files under specified circumstances; and requiring a register, in consultation with the Comptroller and the State Archives, to develop specified record-keeping standards.

EFFECTIVE OCTOBER 1, 2014

ET, § 2-209 - amended

Assigned to: Judicial Proceedings

SB 392 Senator Frosh, et al**CREATION OF A STATE DEBT – MONTGOMERY COUNTY – IMAGINATION STAGE HVAC SYSTEM**

Authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Trustees of Imagination Stage, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Imagination Stage HVAC system, located in Montgomery County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2014

Assigned to: Budget and Taxation

SB 393 Senator Frosh, et al**CREATION OF A STATE DEBT – MONTGOMERY COUNTY – BETHESDA GRACEFUL GROWING TOGETHER COMMUNITY CENTER**

Authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Graceful Growing Together, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Bethesda Graceful Growing Together Community Center, located in Montgomery County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2014

Assigned to: Budget and Taxation

SB 394 Senator Frosh, et al**STATEWIDE CONTAINER RECYCLING REFUND PROGRAM**

Requiring a beverage distributor operating within the State to register with the Department of the Environment on or before April 1, 2015; requiring a redeemable beverage container sold in the State to bear specified information indicating a refund value of 5 cents beginning January 15, 2016; requiring the payment of specified deposits by specified distributors, retailers, and consumers under specified circumstances; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2014

EN, §§ 9-1733 through 9-1741 - added

Assigned to: Finance and Education, Health, and Environmental Affairs

SB 395 Senator Pinsky, et al**BUSINESS RELIEF AND TAX FAIRNESS ACT OF 2014**

Altering specified fees collected by the State Department of Assessments and Taxation for the filing of specified documents by specified corporations and business entities; requiring specified corporations to compute Maryland taxable income using a specified combined reporting method; requiring, subject to specified regulations, specified groups of corporations to file a combined income tax return reflecting the aggregate income tax liability of all the members of the group; etc.

EFFECTIVE JULY 1, 2014

CA, § 1-203(b)(3)(ii) and TG, § 10-811 - amended and TG, § 10-402.1 - added

Assigned to: Budget and Taxation

SB 396 Senator Jones–Rodwell (By Request – Baltimore City Administration)**EQUITY COURT JURISDICTION – IMMIGRANT CHILDREN – CUSTODY OR GUARDIANSHIP PETITIONS**

Altering the jurisdiction of an equity court to include a petition to award custody or guardianship of an immigrant child that is filed with a motion for Special Immigrant Juvenile factual findings; and defining the term “child” to mean an unmarried individual under the age of 21 years under specified circumstances.

EFFECTIVE OCTOBER 1, 2014

FL, § 1-201 - amended

Assigned to: Judicial Proceedings

SB 397 Senator Young, et al**POLITICAL SUBDIVISIONS – LEGAL NOTICE REQUIREMENTS – POSTING ON WEB SITES**

Authorizing a county or municipality to satisfy a requirement to publish legal notices in a newspaper of general circulation by posting the notices on its Web site; requiring notices posted on a county or municipality Web site to be conspicuously displayed and be easily accessible; requiring a county or municipality that chooses to post notices on the Internet to publish specified advance notice in a newspaper of general circulation in the county or municipality and to offer a specified mail service; etc.

EFFECTIVE OCTOBER 1, 2016

LG, § 1-1302.1 - added

Assigned to: Education, Health, and Environmental Affairs

SB 398 Senator Shank**CRIMINAL PROCEDURE – CERTIFICATE OF COMPLETION**

Authorizing the Department of Public Safety and Correctional Services to issue a certificate of completion to a specified offender who meets specified requirements; and requiring the Department to report to the Governor and the General Assembly on or before December 31, 2014, on the number of certificates of completion issued.

EFFECTIVE OCTOBER 1, 2014

CS, § 7-103 - added

Assigned to: Judicial Proceedings

SB 399 Senator Shank**SECURITY SYSTEMS SERVICES – COMPLAINT INVESTIGATIONS**

Requiring the Secretary of State Police to conduct an investigation that relates to any complaint alleging that an unauthorized person has provided security systems services; and specifying requirements for the complaint.

EFFECTIVE OCTOBER 1, 2014

BOP, § 18-205 - added

Assigned to: Finance

SB 400 Senator Young**CREATION OF A STATE DEBT – FREDERICK COUNTY – UNIFIED COMMUNITY CONNECTIONS ADULT DAY HABILITATION FACILITY**

Authorizing the creation of a State Debt not to exceed \$180,000, the proceeds to be used as a grant to the Board of Directors of the Unified Community Connections, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Unified Community Connections Adult Day Habilitation Facility, located in Frederick County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2014

Assigned to: Budget and Taxation

SB 401 Senator Young**PUBLIC SAFETY – BUILDING CODES – BALCONY INSPECTIONS
(JONATHAN’S LAW)**

Requiring a political subdivision to conduct inspections of specified multifamily dwellings with balconies primarily constructed of wood at least once every 5 years to ensure that each balcony meets the requirements of the applicable local housing code or the Minimum Livability Code; authorizing a political subdivision to authorize a third party to conduct the periodic inspections; authorizing a political subdivision to charge a fee for a periodic inspection; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2014

PS, § 12-203 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 402 Senator Ramirez**CREATION OF A STATE DEBT – PRINCE GEORGE’S COUNTY –
ELIZABETH SETON HIGH SCHOOL SPORTS FACILITIES
RENOVATION**

Authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Elizabeth Seton High School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Elizabeth Seton High School, located in Prince George’s County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2014

Assigned to: Budget and Taxation

SB 403 Senator Kelley**STATE AND LOCAL RETIREMENT AND PENSION SYSTEMS –
ASSIGNMENT OF BENEFITS TO TRUST FOR DISABLED
INDIVIDUALS**

Authorizing the assignment of a retirement or pension allowance from the State Retirement and Pension System or a local retirement or pension system to a specified type of trust for the benefit of specified individuals who are disabled, as defined under federal law; requiring the Board of Trustees for the State Retirement and Pension System to adopt regulations; requiring the board of trustees for a local retirement or pension system to adopt rules or regulations; etc.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2014

SP, § 21-402 - amended and §§ 21-502.1, 37.5-101, and 37.5-201 - added

Assigned to: Budget and Taxation

SB 404 Senator Kelley, et al**MARYLAND UNIFORM COMMERCIAL CODE – SECURED
TRANSACTIONS – NOTICE OF FILING OF FINANCING STATEMENT**

Requiring the State Department of Assessments and Taxation or other office that receives a financing statement for filing to provide a specified notice of the filing to the debtor identified on the financing statement under specified circumstances; requiring the Department or other office required to provide the notice to determine the form of the notice; and requiring the notice to contain specified information.

EFFECTIVE OCTOBER 1, 2014

CL, § 9-501 - amended

Assigned to: Finance

SB 405 Senator Rosapepe**CREATION OF A STATE DEBT – PRINCE GEORGE’S COUNTY – LAUREL PARK PATH SYSTEM IMPROVEMENTS**

Authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Laurel for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Laurel Park Path System, located in Prince George’s County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2014

Assigned to: Budget and Taxation

SB 406 Senator Rosapepe**CREATION OF A STATE DEBT – PRINCE GEORGE’S COUNTY – LAUREL ARMORY–ANDERSON & MURPHY COMMUNITY CENTER**

Authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Laurel for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Laurel Armory–Anderson & Murphy Community Center, located in Prince George’s County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2014

Assigned to: Budget and Taxation

SB 407 Senator Astle**PUBLIC ETHICS – CHESAPEAKE BAY TRUST – EXEMPTIONS AND CONFLICT OF INTEREST PROVISIONS**

Providing that the trustees and employees of the Chesapeake Bay Trust are exempt from the provisions of the Public Ethics Law subject to the adoption of conflict of interest provisions for nonprofit organizations; requiring the Trust to keep on file and make available for public inspection specified conflict of interest provisions; and making specified technical changes.

EFFECTIVE JULY 1, 2014

NR, § 8-1910 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 408 Senator Reilly, et al**EDUCATION – COMMON CORE STATE STANDARDS –
IMPLEMENTATION TIMELINE**

Requiring each county board of education to determine the implementation timeline for the Common Core State Standards notwithstanding any other provision of law.

EFFECTIVE JULY 1, 2014

ED, § 4-111.4 - added

Assigned to: Education, Health, and Environmental Affairs

SB 409 Senators Raskin and Shank**HEALTH – FOOD ALLERGY AWARENESS**

Requiring a food establishment, beginning March 1, 2015, to request that a customer inform the employee taking the customer's food order of any known food allergies before ordering; requiring a food establishment, beginning March 1, 2015, to have on the premises at specified times an employee who has completed and passed a specified food allergen awareness training course and is available to discuss meal options with customers who have food allergies; etc.

EFFECTIVE OCTOBER 1, 2014

HG, § 21-330.2 - amended

Assigned to: Finance

SB 410 Senator Raskin, et al**TANNING DEVICES – USE BY MINORS – PROHIBITION**

Prohibiting owners, employees, and operators of tanning facilities from allowing minors to use tanning devices.

EFFECTIVE OCTOBER 1, 2014

HG, § 20-106 - amended

Assigned to: Finance

SB 411 **Senator Raskin, et al****RAPE SURVIVOR FAMILY PROTECTION ACT**

Excluding as a father of a child, for purposes of specified provisions relating to the paternity of a child in a guardian or adoption proceeding, a man who has committed a specified sexual crime against the child's mother; requiring a court to consider a specified statement when making a specified finding; prohibiting a court from requiring publication of specified information under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2014

FL, §§ 5-306, 5-3A-06, 5-3B-05, and 9-101.2 - amended

Assigned to: Judicial Proceedings